

THOMAS H. WEBB, EXECUTOR.

LETTER FROM THE ASSISTANT CLERK OF THE COURT OF CLAIMS,
TRANSMITTING A COPY OF THE FINDINGS FILED BY THE COURT
IN THE CASE OF THOMAS H. WEBB, EXECUTOR OF EMILY M.
EWELL, DECEASED, AGAINST THE UNITED STATES.

JANUARY 28, 1903.—Referred to the Committee on War Claims and ordered to be
printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 28, 1903.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. DAVID B. HENDERSON,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 815. Estate of Emily M. Ewell, deceased, *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Emily M. Ewell, deceased, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed December 2, 1901.

[Court of Claims. Congressional case No. 815. Thomas H. Webb, executor Emily M. Ewell, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion was transmitted to the court by the Committee on War Claims of the House of Representatives on the 7th day of May, 1886.

On a preliminary inquiry the court, on the 2d day of December, 1901, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 13th day of May, 1902.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by P. M. Ashford, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States residing in Lonoke County, State of Arkansas; he resided during the late war of the rebellion in Fayette County, Tenn., as also did decedent; that at different times during said period the United States forces, by proper authority, took from decedent quartermaster stores and commissary supplies of the value of \$2,135 and appropriated the same to the use of the U. S. Army as follows:

500 bushels corn, at \$1.....	\$500
7 stacks fodder, at \$15 per M.....	105
2 fine carriage horses, at \$150	300
1 saddle horse.....	150
6,000 rails, at \$3 per 100.....	180
25 acres of timber, averaging 30 cords to the acre, 750 cords wood, at \$1.....	750
12 acres of wheat, pastured, at \$12.50 per acre.....	150

Total 2,135

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT.

There was taken from the claimant's decedent, in Fayette County, State of Tennessee, during the war of the rebellion, by the military forces of the United States, for the use of the Army, property of the kind and character above described, which was then and there reasonably worth the sum of one thousand five hundred and thirty-eight dollars (\$1,538).

No payment appears to have been made therefor.

By THE COURT.

Filed June 16, 1902.

A true copy.

Test this 27th day of January, 1903.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

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